UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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TESFAMARIAM, MUSSIE

ART UNIT	PAPER NUMBER
2162	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	Applicant(s)
Office Action Summary	09/399,597	David C. Carrithers et al
	Examiner	Art Unit
	Mussie Tesfamariam	2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ___3___ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *Jan 28, 2002* _____ .

2a) ☐ This action is FINAL.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-28* _____ is/are pending in the application.

    4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-28* _____ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

    a) ☐ All b) ☐ Some* c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    *See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). __2__

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other: _____

DETAILED ACTION

1.   Applicant's arguments with respect to claims 1-28 have been considered but are moot in

view of the new ground(s) of rejection. Akel et al, 5457305.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims

under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was

commonly owned at the time any inventions covered therein were made absent any evidence to

the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor

and invention dates of each claim that was not commonly owned at the time a later invention was

made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35

U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

3.   Claims 1, 4-5, 7, 9, 11-12, 14-15, 19, 21-23, 26 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Akel et al, 5457305 in view of Ray et al, 5321751 and Lalonde, 5477040.

As per claim 1, Akel et al disclose in data identifying the authorized unique account

numbers of the participants, see the abstract, fig 2, items 14, 16, 18, fig 3, items 30c, 30f; and data

identifying the authorized merchants; see the abstract, fig 1, items 18, fig 9, said filter including

means, responsive to an initiating transaction based on an initiating account number for

transmitting from the credit/debit card network to the filter the following transaction data: the

account number of the card initiating the transaction, see the abstract, fig 2, item 14, 18, fig 7, col

3, lines 61-67, col 5, lines 12-14, merchant identification data of the merchant involved in the

initiating transaction, see col 5, lines 12-14, col 12, lines 35-36 and data regarding the amount of

the initiated transaction; see col 5, lines 12-14, col 12, lines 35-36; filter including means for

evaluating the transaction data transmitted to the filter by the credit/debit card network by

comparing the transaction data to the program data see the abstract, fig 1, item 18, fig 2, items

14, 16, 18; filter including means for generating validating data for the transaction when the

evaluated transaction data indicates that the transaction involves an authorized merchant using the

unique account number of one of the participants; see the abstract, col 1, lines 14-31, col 3, lines

58-67. However, he fails specifically to disclose in generating invalidating data for the transaction

when the evaluated transaction data indicates that the initiating account number is not one of the

authorized account numbers. Lalonde discloses in generating invalidating data for the transaction

when the evaluated transaction data indicates that the initiating account number is not one of the

authorized account numbers. See col 8, lines 67 - col 9, lines 1-9. Therefore, it would have been

obvious to a person of ordinary skill in the art at the time the invention was made to modify the

system of Akel to invalidate data for the transaction. This is because it would improve Akel's

system to generate invalid data of the transaction made by the authorized merchant.

Akel et al disclose in generating invalidating data for the transaction when the evaluated

transaction data indicates that the merchant involved in the transaction is not one of the

authorized merchants. See the abstract, col 1, lines 14-31.

Akel et al disclose in transmitting the validating or invalidating data to the credit/debit card

network so that the credit/debit card network provides the validating or invalidating data for the

evaluated transaction to the merchant involved in the transaction. See the abstract, see the

abstract, col 3, lines 1-10, fig 12, fig 13.

As per claim 4, Akel et al disclose in the filter processor is maintained by a program administrator

having a commission account and wherein the program administrator via an automated clearing

house credits or deposits a transaction commission amount for each validated transaction to the

commission account of the program administrator and debits or removes the transaction

commission amount to an account of the merchant involved in the transaction. See the abstract,

fig 1, item 18, fig 2, items 14, 16, 18.

As per claim 5, Akel et al disclose in the credit/debit card network processor deducts the

commission amount credited to the merchant involved in the transaction from the merchant's

proceeds from the validated transaction. See the abstract, fig 2, items 14, 16, 18.

As per claim 7, Akel et al disclose in data identifying the authorized unique account

numbers of the participants, see the abstract, fig 1, items 14, 18, fig 2, items 14, 18; and data

identifying the authorized merchants; see the abstract, fig 1, items 14, 16, 18, said filter including

means, responsive to an initiating transaction based on an initiating account number for

transmitting from the credit/debit card network to the filter the following transaction data: the

account number of the card initiating the transaction, see the abstract, col 5, lines 12-14, col 12,

lines 35-36, merchant identification data of the merchant involved in the initiating transaction, see

fig 7, item 713, and data regarding the amount of the initiated transaction; see col 5, lines 12-14,

col 12, lines 35-36. However, he fails specifically to disclose in cards are debit cards having a

magnetic strip encoded with a number corresponding to the unique account number of the

participant whereby the transaction is transparent to the merchant involved in the transactions

such that the involved merchant cannot distinguish between transactions using debit cards and

transactions using credit cards. Lalonde discloses in cards are debit cards having a magnetic strip

encoded with a number corresponding to the unique account number of the participant whereby

the transaction is transparent to the merchant involved in the transactions such that the involved

merchant cannot distinguish between transactions using debit cards and transactions using credit

cards. See fig 4, items 86, 88, 90, col 7, lines 46-54. Therefore, it would have been obvious to a

person of ordinary skill in the art at the time the invention was made to modify the system of Akel

to have a magnetic strip encoded with a number corresponding to the unique account number of

the participant. This is because it would improve Akel's system to distinguish between

transactions using debit cards and transactions using credit cards.

As per claim 9, Akel et al disclose in the filter processor generates redemption reports for each merchant indicating card transactions by participants and wherein the filter processor generates account reports for each participant in the program indicating transactions by such participant and indicating the amount of points in such participant's account. See col 9, lines 19-29, col 10, lines 60-66.

As per claim 11, Akel et al disclose in the credit/debit card network processor comprises a merchant processor linked to a switch processor and wherein the filter processor comprises a banking processor linked to an administrator's processor. See the abstract, fig 1, item 18, fig 2, items 14, 16, 18.

As per claim 12, Akel et al disclose in the filter processor is maintained by a program administrator having a balance account and wherein, during a force post portion of the transaction, see the abstract, fig 1, item 18, the filter processor debits a transaction amount for each validated transaction to the balance account of the program administrator and credits the transaction amount to an account of the merchant involved in the transaction. see the abstract, col 10, lines 63-66

As per claim 14, Akel et al disclose in providing a plurality of cards, each assigned to one participant and having a unique account number corresponding to an account of the participant; see the abstract, fig 10, fig 12; accessing the following program data: data identifying the authorized unique account numbers of the participants, see the abstract, fig 10, fig 12, fig 13; and

data identifying the authorized merchants; see the abstract, fig 1, item 18 items; transmitting the

following transaction data in response to an initiating transaction based on an initiating account

number: the initiating account number of the card initiating the transaction, see col 5, lines 12-14,

col 12, lines 35-36; merchant identification data of the merchant involved in the initiating

transaction, see col 5, lines 12-14, col 12, lines 35-36; filter including means for evaluating the

transaction data transmitted to the filter by the credit/debit card network by comparing the

transaction data to the program data see the abstract, fig 1, item 18, fig 2, items 14, 16, 18; filter

including means for generating validating data for the transaction when the evaluated transaction

data indicates that the transaction involves an authorized merchant using the unique account

number of one of the participants; see the abstract, col 1, lines 14-31, col 3, lines 58-67.

However, he fails specifically to disclose in generating invalidating data for the transaction when

the evaluated transaction data indicates that the initiating account number is not one of the

authorized account numbers. Lalonde discloses in generating invalidating data for the transaction

when the evaluated transaction data indicates that the initiating account number is not one of the

authorized account numbers. See col 8, lines 67 - col 9, lines 1-9. Therefore, it would have been

obvious to a person of ordinary skill in the art at the time the invention was made to modify the

system of Akel to invalidate data for the transaction. This is because it would improve Akel's

system to generate invalid data of the transaction made by the authorized merchant.

Akel et al disclose in generating invalidating data for the transaction when the evaluated

transaction data indicates that the merchant involved in the transaction is not one of the

authorized merchants. See the abstract, col 1, lines 14-31.

Akel et al disclose in transmitting the validating or invalidating data to the credit/debit card

network so that the credit/debit card network provides the validating or invalidating data for the

evaluated transaction to the merchant involved in the transaction. See the abstract, see the

abstract, col 3, lines 1-10, fig 12, fig 13.

As per claim 15, Akel et al disclose in the steps of initiating, evaluating, validating and

invalidating are performed electronically whereby the transaction is paperless. See the abstract,

col 5, lines 13-16, col 12, lines 62-66.

4.   Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akel et al, 5457305

in view of Lalonde, 5477040 as applied to claim 1 above, and further in view of Processor

Certification Requirements.

As per claim 2, Akel et al disclose in data identifying the authorized unique account

numbers of the participants, see the abstract, fig 10, fig 13; and data identifying the authorized

merchants; see the abstract, fig 2, items 14, 16, 18; said filter including means, responsive to an

initiating transaction based on an initiating account number for transmitting from the credit/debit

card network to the filter the following transaction data: the account number of the card initiating

the transaction, see col 5, lines 13-16, col 12 , lines 62-66, merchant identification data of the

merchant involved in the initiating transaction, see col 5, lines 13-16, col 12 , lines 62-66, data

regarding the amount of the initiated transaction; see col 5, lines 13-16, col 12 , lines 62-66. He

also discloses in filter including means for generating validating data for the transaction when the

evaluated transaction data indicates that the transaction involves an authorized merchant using the

unique account number of one of the participants; see the abstract. He also discloses in

generating validate data of the amount initiating transaction. see col 5, lines 13-16, col 12 , lines

62-66. Lalonde discloses in generating invalidating data for the transaction when the evaluated

transaction data indicates that the initiating account number is not one of the authorized account

numbers. See col 8, lines 67 - col 9, lines 1-9. However Akel et al specifically fails to disclose in a

currency denomination such as dollars wherein each account has a point value wherein the

evaluating converts the point value of the account corresponding to the account number.

Processor Certification Requirements disclose in a currency denomination such as dollars wherein

each account has a point value wherein the evaluating converts the point value of the account

corresponding to the account number. See Pages 8, 16. Therefore, it would have been obvious to

a person of ordinary skill in the art at the time the invention was made to modify the system of

Akel to have currency denomination. This is because it would improve Akel's system to filter the

currency denomination of the transaction so the currency exchange cannot go exceed the limit.

As per claim 3, Akel et al disclose in filter processor evaluating means comprises a banking

processor. See the abstract, fig 1, item 18.

5.   Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akel et al, 5457305

in view of Lalonde, 5477040 as applied to claim 1 above, and further in view of Nair et al,

5479530.

As per claim 6, Akel et al disclose in data identifying the authorized unique account

numbers of the participants, see the abstract, fig 10, fig 13. However Akel specifically fails to

disclose in wherein the cards include embossing relating to the program. Nair et al disclose in

embossing relating to the program. See the abstract, fig 28a, item 1068, fig 28b, item 1055, col

51, lines 1-7, col 52, lines 31-40, col 54, lines 50-54, 60-67. Therefore, it would have been

obvious to a person of ordinary skill in the art at the time the invention was made to modify the

system of Akel to have an embossing relating to the program. This is because it would improve

Akel system to detect the physical presence of a data card during a card transaction.

6.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akel et al, 5457305

in view of Lalonde, 5477040 as applied to claim 7 above, and further in view of Nair et al,

5479530.

As per claim 8, Akel et al disclose in data identifying the authorized unique account

numbers of the participants, see the abstract, fig 10, fig 13. However, Akel et al specifically to

disclose in a card reader is adapted to be connected to the I/O port. Nair et al disclose in a card

reader is adapted to be connected to the I/O port. See col 24, lines 49-54. Therefore, it would

have been obvious to a person of ordinary skill in the art at the time the invention was made to

modify the system of Akel to have I/O port. This is because it would improve Akel's system to

convey the transaction message from the card to the card reader.

7.   Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Harris et al,

6014635 in view of Lalonde, 5477040 as applied to claim 1 above, and further in view of

Processor Certification Requirements.

As per claim 10, Akel et al disclose in data identifying the authorized unique account

numbers of the participants, see the abstract, fig 2, items 14, 16, 18, fig 3, items 30c, 30f; and data

identifying the authorized merchants; see the abstract, fig 1, items 18, fig 9. Lalonde discloses in

reading the magnetic strip of the card. However, Akel et al specifically to disclose in the filter

processor that deletes from the program data. Processor Certification Requirements discloses in

the filter processor that deletes from the program data. See Page 10. Therefore, it would have

been obvious to a person of ordinary skill in the art at the time the invention was made to modify

the system of Akel to have the ability to delete from the program data. This is because it would

improve Akel's' system to delete on-line activity as appropriate.

8.   Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akel et al,

5457305 in view of Lalonde, 5477040 as applied to claim 1 above, and further in view of Small,

4815741.

As per claim 13, Akel et al disclose in data identifying the authorized unique account

numbers of the participants, see the abstract, fig 2, items 14, 16, 18, fig 3, items 30c, 30f; and data

identifying the authorized merchants; see the abstract, fig 1, items 18, fig 9. Lalonde discloses in

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reading the magnetic strip of the card. However, Akel et al specifically to disclose in the system includes only debit cards. Small disclose in the system includes only debit cards. See col 2, lines 3-6, 9-13. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Akel to use only debit cards. This is because it would improve Akel's system for implementing an incentive award program for a customer having participants.

9.   Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akel et al, 5457305 in view of Lalonde, 5477040 as applied to claim 14 above, and further in view of Small, 4815741.

As per claim 16, Akel et al disclose in data identifying the authorized unique account numbers of the participants, see the abstract, fig 2, items 14, 16, 18, fig 3, items 30c, 30f; and data identifying the authorized merchants; see the abstract, fig 1, items 18, fig 9. Lalonde discloses in reading the magnetic strip of the card. However, Akel et al specifically to disclose in the system includes only debit cards. Small disclose in the system includes only debit cards. See col 2, lines 3-6, 9-13. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Akel to use only debit cards. This is because it would improve Akel's' system for implementing an incentive award program for a customer having participants.

10.   Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akel et al, 5457305 in view of Lalonde, 5477040 and Nair et al, 5479530.

As per claim 17, Akel et al disclose in data identifying the authorized unique account

numbers of the participants, see the abstract, fig 2, items 14, 16, 18, fig 3, items 30c, 30f; and data

identifying the authorized merchants; see the abstract, fig 1, items 18, fig 9. Lalonde discloses in

reading the magnetic strip of the card. However, Akel et al specifically to disclose in each

merchant having access via an input/output (1/O) port to a credit/debit card network. Nair et al

disclose in each merchant having access via an input/output (1/O) port to a credit/debit card

network. See col 24, lines 49-54. Therefore, it would have been obvious to a person of ordinary

skill in the art at the time the invention was made to modify the system of Akel to have I/O port.

This is because it would improve Akel's system to have access via an I/) port to an account of the

participant. Akel et al disclose in filter including means for generating validating data for the

transaction when the evaluated transaction data indicates that the transaction involves an

authorized merchant using the unique account number of one of the participants; see the abstract,

col 1, lines 14-31, col 3, lines 58-67. However, he fails specifically to disclose in generating

invalidating data for the transaction when the evaluated transaction data indicates that the

initiating account number is not one of the authorized account numbers. Lalonde discloses in

generating invalidating data for the transaction when the evaluated transaction data indicates that

the initiating account number is not one of the authorized account numbers. See col 8, lines 67 -

col 9, lines 1-9. Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify the system of Akel to invalidate data for the

transaction. This is because it would improve Akel's system to generate invalid data of the

transaction made by the authorized merchant.

Akel et al disclose in generating invalidating data for the transaction when the evaluated

transaction data indicates that the merchant involved in the transaction is not one of the

authorized merchants. See the abstract, col 1, lines 14-31.

Akel et al disclose in transmitting the validating or invalidating data to the credit/debit card

network so that the credit/debit card network provides the validating or invalidating data for the

evaluated transaction to the merchant involved in the transaction. See the abstract, see the

abstract, col 3, lines 1-10, fig 12, fig 13.

As per claim 18, it contains the same limitations as claims 16, therefore are rejected by the same

rationale.

As per claim 19, Akel et al disclose in data identifying the authorized unique account

numbers of the participants, see the abstract, fig 2, items 14, 16, 18, fig 3, items 30c, 30f; and data

identifying the authorized merchants; see the abstract, fig 1, items 18, fig 9, said filter including

means, responsive to an initiating transaction based on an initiating account number for

transmitting from the credit/debit card network to the filter the following transaction data: the

account number of the card initiating the transaction, see the abstract, fig 2, item 14, 18, fig 7, col

3, lines 61-67, col 5, lines 12-14, merchant identification data of the merchant involved in the

initiating transaction, see col 5, lines 12-14, col 12, lines 35-36 and data regarding the amount of

the initiated transaction; see col 5, lines 12-14, col 12, lines 35-36; filter including means for

evaluating the transaction data transmitted to the filter by the credit/debit card network by

comparing the transaction data to the program data see the abstract, fig 1, item 18, fig 2, items

14, 16, 18; filter including means for generating validating data for the transaction when the

evaluated transaction data indicates that the transaction involves an authorized merchant using the

unique account number of one of the participants; see the abstract, col 1, lines 14-31, col 3, lines

58-67. However, he fails specifically to disclose in generating invalidating data for the transaction

when the evaluated transaction data indicates that the initiating account number is not one of the

authorized account numbers. Lalonde discloses in generating invalidating data for the transaction

when the evaluated transaction data indicates that the initiating account number is not one of the

authorized account numbers. See col 8, lines 67 - col 9, lines 1-9. Therefore, it would have been

obvious to a person of ordinary skill in the art at the time the invention was made to modify the

system of Akel to invalidate data for the transaction. This is because it would improve Akel's

system to generate invalid data of the transaction made by the authorized merchant.

Akel et al disclose in generating invalidating data for the transaction when the evaluated

transaction data indicates that the merchant involved in the transaction is not one of the

authorized merchants. See the abstract, col 1, lines 14-31.

Akel et al disclose in transmitting the validating or invalidating data to the credit/debit card

network so that the credit/debit card network provides the validating or invalidating data for the evaluated transaction to the merchant involved in the transaction. See the abstract, see the abstract, col 3, lines 1-10, fig 12, fig 13.

As per claim 21, Akel et al disclose in data identifying the authorized unique account numbers of the participants, see the abstract, fig 2, items 14, 16, 18, fig 3, items 30c, 30f; and data identifying the authorized merchants; see the abstract, fig 1, items 18, fig 9. Lalonde discloses in reading the magnetic strip of the card. However, Akel et al specifically to disclose in each merchant having access via an input/output (1/O) port to a credit/debit card network. Nair et al disclose in each merchant having access via an input/output (1/O) port to a credit/debit card network. See col 24, lines 49-54. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Akel to have I/O port. This is because it would improve Akel's system to have access via an I/) port to an account of the participant. Akel et al disclose in filter including means for generating validating data for the transaction when the evaluated transaction data indicates that the transaction involves an authorized merchant using the unique account number of one of the participants; see the abstract, col 1, lines 14-31, col 3, lines 58-67. However, he fails specifically to disclose in generating invalidating data for the transaction when the evaluated transaction data indicates that the initiating account number is not one of the authorized account numbers. Lalonde discloses in generating invalidating data for the transaction when the evaluated transaction data indicates that the initiating account number is not one of the authorized account numbers. See col 8, lines 67 -

col 9, lines 1-9. Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify the system of Akel to invalidate data for the

transaction. This is because it would improve Akel's system to generate invalid data of the

transaction made by the authorized merchant.

Akel et al disclose in generating invalidating data for the transaction when the evaluated

transaction data indicates that the merchant involved in the transaction is not one of the

authorized merchants. See the abstract, col 1, lines 14-31.

Akel et al disclose in transmitting the validating or invalidating data to the credit/debit card

network so that the credit/debit card network provides the validating or invalidating data for the

evaluated transaction to the merchant involved in the transaction. See the abstract, see the

abstract, col 3, lines 1-10, fig 12, fig 13.

As per claim 22, Akel et al disclose in providing a plurality of cards, each assigned to one

participant and having a unique account number corresponding to an account of the participant;

see the abstract, fig 10, fig 12; accessing the following program data: data identifying the

authorized unique account numbers of the participants, see the abstract, fig 10, fig 12, fig 13; and

data identifying the authorized merchants; see the abstract, fig 1, item 18 items; transmitting the

following transaction data in response to an initiating transaction based on an initiating account

number: the initiating account number of the card initiating the transaction, see col 5, lines 12-14,

col 12, lines 35-36; merchant identification data of the merchant involved in the initiating

transaction, see col 5, lines 12-14, col 12, lines 35-36; filter including means for evaluating the

transaction data transmitted to the filter by the credit/debit card network by comparing the transaction data to the program data see the abstract, fig 1, item 18, fig 2, items 14, 16, 18; filter including means for generating validating data for the transaction when the evaluated transaction data indicates that the transaction involves an authorized merchant using the unique account number of one of the participants; see the abstract, col 1, lines 14-31, col 3, lines 58-67. However, he fails specifically to disclose in generating invalidating data for the transaction when the evaluated transaction data indicates that the initiating account number is not one of the authorized account numbers. Lalonde discloses in generating invalidating data for the transaction when the evaluated transaction data indicates that the initiating account number is not one of the authorized account numbers. See col 8, lines 67 - col 9, lines 1-9. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Akel to invalidate data for the transaction. This is because it would improve Akel's system to generate invalid data of the transaction made by the authorized merchant.

Akel et al disclose in generating invalidating data for the transaction when the evaluated transaction data indicates that the merchant involved in the transaction is not one of the authorized merchants. See the abstract, col 1, lines 14-31.

Akel et al disclose in transmitting the validating or invalidating data to the credit/debit card network so that the credit/debit card network provides the validating or invalidating data for the evaluated transaction to the merchant involved in the transaction. See the abstract, see the abstract, col 3, lines 1-10, fig 12, fig 13.

As per claim 23, Akel et al disclose in providing a plurality of cards, each assigned to one

participant and having a unique account number corresponding to an account of the participant;

see the abstract, fig 10, fig 12; accessing the following program data: data identifying the

authorized unique account numbers of the participants, see the abstract, fig 10, fig 12, fig 13; and

data identifying the authorized merchants; see the abstract, fig 1, item 18 items; transmitting the

following transaction data in response to an initiating transaction based on an initiating account

number: the initiating account number of the card initiating the transaction, see col 5, lines 12-14,

col 12, lines 35-36; merchant identification data of the merchant involved in the initiating

transaction, see col 5, lines 12-14, col 12, lines 35-36; filter including means for evaluating the

transaction data transmitted to the filter by the credit/debit card network by comparing the

transaction data to the program data see the abstract, fig 1, item 18, fig 2, items 14, 16, 18; filter

including means for generating validating data for the transaction when the evaluated transaction

data indicates that the transaction involves an authorized merchant using the unique account

number of one of the participants; see the abstract, col 1, lines 14-31, col 3, lines 58-67.

However, he fails specifically to disclose in generating invalidating data for the transaction when

the evaluated transaction data indicates that the initiating account number is not one of the

authorized account numbers. Lalonde discloses in generating invalidating data for the transaction

when the evaluated transaction data indicates that the initiating account number is not one of the

authorized account numbers. See col 8, lines 67 - col 9, lines 1-9. Therefore, it would have been

obvious to a person of ordinary skill in the art at the time the invention was made to modify the

system of Akel to invalidate data for the transaction. This is because it would improve Akel's system to generate invalid data of the transaction made by the authorized merchant.

Akel et al disclose in generating invalidating data for the transaction when the evaluated transaction data indicates that the merchant involved in the transaction is not one of the authorized merchants. See the abstract, col 1, lines 14-31.

Akel et al disclose in transmitting the validating or invalidating data to the credit/debit card network so that the credit/debit card network provides the validating or invalidating data for the evaluated transaction to the merchant involved in the transaction. See the abstract, see the abstract, col 3, lines 1-10, fig 12, fig 13.

As per claim 24, it contains the same limitations as claims 16, therefore are rejected by the same rationale.

As per claim 25, Akel et al disclose in data identifying the authorized unique account numbers of the participants, see the abstract, fig 2, items 14, 16, 18, fig 3, items 30c, 30f; and data identifying the authorized merchants; see the abstract, fig 1, items 18, fig 9. However, he fails specifically to disclose in an incentive award program. Lalonde discloses in an incentive award program. See col 1, lines 17-20, col 2, lines 15-19. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Akel to use an incentive award program. This is because it would improve Akel's system to implement an incentive award program for a customer having participants.

As per claim 26, Akel et al disclose in providing a plurality of cards, each assigned to one

participant and having a unique account number corresponding to an account of the participant;

see the abstract, fig 10, fig 12; accessing the following program data: data identifying the

authorized unique account numbers of the participants, see the abstract, fig 10, fig 12, fig 13; and

data identifying the authorized merchants; see the abstract, fig 1, item 18 items; transmitting the

following transaction data in response to an initiating transaction based on an initiating account

number: the initiating account number of the card initiating the transaction, see col 5, lines 12-14,

col 12, lines 35-36; merchant identification data of the merchant involved in the initiating

transaction, see col 5, lines 12-14, col 12, lines 35-36; filter including means for evaluating the

transaction data transmitted to the filter by the credit/debit card network by comparing the

transaction data to the program data see the abstract, fig 1, item 18, fig 2, items 14, 16, 18; filter

including means for generating validating data for the transaction when the evaluated transaction

data indicates that the transaction involves an authorized merchant using the unique account

number of one of the participants; see the abstract, col 1, lines 14-31, col 3, lines 58-67.

However, he fails specifically to disclose in generating invalidating data for the transaction when

the evaluated transaction data indicates that the initiating account number is not one of the

authorized account numbers. Lalonde discloses in generating invalidating data for the transaction

when the evaluated transaction data indicates that the initiating account number is not one of the

authorized account numbers. See col 8, lines 67 - col 9, lines 1-9. Therefore, it would have been

obvious to a person of ordinary skill in the art at the time the invention was made to modify the

system of Akel to invalidate data for the transaction. This is because it would improve Akel's

system to generate invalid data of the transaction made by the authorized merchant.

 Akel et al disclose in generating invalidating data for the transaction when the evaluated

transaction data indicates that the merchant involved in the transaction is not one of the

authorized merchants. See the abstract, col 1, lines 14-31.

Akel et al disclose in transmitting the validating or invalidating data to the credit/debit card

network so that the credit/debit card network provides the validating or invalidating data for the

evaluated transaction to the merchant involved in the transaction. See the abstract, see the

abstract, col 3, lines 1-10, fig 12, fig 13.

As per claim 27, it contains the same limitations as claims 16, therefore are rejected by the same

rationale.

As per claim 28, it contains the same limitations as claims 25, therefore are rejected by the

same rationale.

Conclusion

11.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

A. Mori, 5,200,889 August 26, 1991. System for maintaining continuous total of refund amounts

due a customer and for allowing customer designation of the amount of refund to be applied to a

purchase.

Any inquiry concerning this communication or earlier communications from the examiner should

be directed to **Mussie Tesfamariam** whose telephone number is **(703)305-1393**. The examiner

can normally be reached on Monday - Friday from 8:00 a.m. to 5:00 p.m. If attempts to reach the

examiner by telephone are unsuccessful, the **examiner's supervisor, Eric Stamber** can be

reached at **(703) 305-8469**.

Any response to this office action should be mailed to:

> **Commissioner of Patents and Trademarks**
>
> **Washington, D.C. 20231**

or **faxed to:**

> **(703)746-7239**, (for formal communications intended for entry)

Or:

> **(703)746-7240**, (for informal or draft communications, please label
>
> "PROPOSED" or "DRAFT")

Or:

      (703)746-7238, (for After-Final)

Hand-delivered responses should be brought to **Crystal park II, 2121 Crystal Drive**

Arlington, Virginia, (Receptionist).

Mussie Tesfamariam

February 15, 2002

STEPHEN GRAVINI
PRIMARY EXAMINER